

## **REMARKS**

### **Claim Rejections - 35 U.S.C. § 102**

The Examiner has rejected claims 30 and 36 under 35 USC 102(e) as being anticipated by Demirlioglu et al. (U.S. Patent No. 5,571,744). The Applicant respectfully traverses. Demirlioglu does not anticipate the Applicant's claims because Demirlioglu does not teach the element of claim 30 of "forming a pair of sidewall spacers having a height above the third thickness of the silicide layer on the silicon germanium film on the gate electrode." In contrast, Demirlioglu teaches a pair of sidewall spacers 30 having a height that is the same as a silicide layer 50 over the gate electrode, as illustrated in Figure 12. Therefore, the Applicant respectfully submits that Demirlioglu does not teach claim 30 and claim 36 that depends upon and incorporates the elements of claim 30.

### **Claim Rejections - 35 U.S.C. § 103**

The Examiner has rejected claims 32 and 37 under 35 USC 103(a) as being unpatentable over Demirlioglu et al. ('744) in view of Moslehi (U.S. Patent No. 5,168,072). The Applicant respectfully traverses. The cited references fail to teach or render obvious the Applicant's claims because the cited references do not teach the element of independent claim 30, upon which claims 32 and 37 depend, of "forming a pair of sidewall spacers having a height above the third thickness of the silicide layer on the silicon germanium film on the gate electrode." In contrast, Demirlioglu teaches a pair of sidewall spacers 30 having a

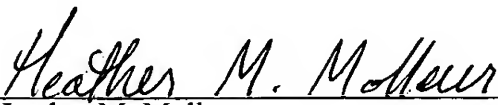
height that is the same as a silicide layer 50 over the gate electrode, as illustrated in Figure 12. Similarly, Moslehi teaches a pair of sidewall spacers 60 having a height that is the same as a refractory metal interconnect segment (silicide) over the lower gate region 50 and upper gate region 88, as illustrated in Figure 19.

If there are any additional charges, please charge Deposit Account No. 02-2666.

Respectfully submitted,

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